

Message Text

CONFIDENTIAL

PAGE 01 BONN 08885 01 OF 02 202002 Z

67

ACTION EUR-25

INFO OCT-01 IO-13 ADP-00 CIAE-00 DODE-00 PM-07 H-02 INR-10

L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

NEA-10 NIC-01 CPR-02 RSR-01 /117 W
----- 008839

R 201950 Z JUN 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 5845

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION BERLIN

USMISSION NATO BRUSSELS

USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 01 OF 02 BONN 08885

E. O. 11652: GDS

TAGS: PFOR, PGOV, WB, GE, GW

SUBJECT: FRG- GDR TALKS ON ESTABLISHMENT OF PERMANENT
MISSIONS

SUMMARY: AT THE BONN GROUP MEETING ON JUNE 19, THE FON-
OFF REP (BRAEUTIGAM) PROVIDED ALLIES WITH BRIEFING ON
INNER- GERMAN TALKS HELD LAST WEEK IN EAST BERLIN ON THE
EXCHANGE OF PERMANENT MISSIONS PURSUANT TO ENTRY INTO
FORCE OF THE BASIC TREATY. TALKS WERE LED BY SAHNE (FRG)
AND SEIDEL (GDR). END SUMMARY

1. BRAEUTIGAM, WHO WAS A MEMBER OF THE FRG DELEGATION,
SAID THAT ALTHOUGH THE GDR SIDE INSISTED THE TALKS HAD
TO BE CONSIDERED INFORMAL UNTIL THE BASIC TREATY ENTERED
INTO FORCE, THEYHAD COME PREPARED TO DISCUSS FUNDAMEN-
TAL FORMULATIONS ON A TENTATIVE BASIS. BRAEUTIGAM SAID
FRG NEGOTIATORS HAD DISTINCT IMPRESSION THAT CERTAIN KEY
QUESTIONS HAD NOT YET BEEN FULLY CLEARED THROUGH GDR
GOVERNMENT. THE GDR HAD BEEN FLEXIBLE ON MANY INDIVIDUAL
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BONN 08885 01 OF 02 202002 Z

POINTS, BUT IT WAS CLEAR THAT THEY SOUGHT TO HAVE DETAILLED ARRANGEMENTS REFLECT AS MUCH AS POSSIBLE THE EXISTENCE OF FORMAL DIPLOMATIC RELATIONS BETWEEN THE TWO GERMAN STATES. THE FRG COULD NOT ACCEPT THIS CONTENTION, AND THE TALKS HAD BECOME DIFFICULT ON POINTS WHERE THIS WAS THE MAIN ISSUE.

2. BRAEUTIGAM REPORTED THAT AGREEMENT IN SUBSTANCE HAD BEEN REACHED ON THE FOLLOWING QUESTIONS:

A. NAMES OF MISSIONS: BOTH SIDES HAD ACCEPTED "DIE STAENDIGE VERTRETUNG DER BRD (DDR)" AS THE OFFICIAL NAME FOR THE RESPECTIVE MISSIONS. BRAEUTIGAM COMMENTED THAT WHILE THE GDR HAD NOT YET ATTEMPTED TO INSERT THE DESIGNATION "IN THE GDR (FRG)" IN THE NAMES OF THE MISSIONS, FRG NEGOTIATORS BELIEVE THIS QUESTION MAY STILL COME UP BEFORE THE MISSIONS ARE ESTABLISHED.

B. MISSION CHIEFS: THEY WILL BE CALLED "LEITER DER STAENDIGEN VERTRETUNG." THE GDR MISSION CHIEF WILL HAVE AMBASSADORIAL RANK; THE FRG CHIEF WILL NOT.

C. EXCHANGE OF NOTES: IN WHAT AMOUNTS TO THE CUSTOMARY "AGREEMENT" BETWEEN TWO NATIONS AT THE TIME OF ESTABLISHMENT OF RELATIONS, THE TWO SIDES WILL HAVE AN EXCHANGE OF NOTES TO INFORM EACH OTHER ABOUT THEIR RESPECTIVE MISSION CHIEFS. THE FRG WILL NOT, HOWEVER, USE THE NORMAL DIPLOMATIC TERM "AGREEMENT" FOR THIS PROCEDURE.

D. FREE MOVEMENT: THE GDR APPEARED PREPARED TO ACCEPT THE PRINCIPLE OF FREE MOVEMENT WITHIN THE GDR FOR FRG MISSION STAFF IN EAST BERLIN, SUBJECT TO THE GENERAL LAW OF THE GDR.

E. TRAVEL TO WEST BERLIN: THE FRG FEELS THIS IS NECESSARY FOR THEIR EAST BERLIN STAFF, AND THE GDR HAS AGREED, ALTHOUGH THE AGREEMENT WILL PROBABLY NOT BE MADE IN WRITING.

F. FORM OF AGREEMENT: BRAEUTIGAM SAID THERE WOULD BE A JOINT PROTOCOL WITH THE FOLLOWING OPENING WORDING: "IN THE COURSE OF TALKS BETWEEN DELEGATIONS OF GOVERNMENTS, THEY HAVE REACHED THE FOLLOWING AGREEMENT..." WHO WILL SIGN THE PROTOCOL IS STILL AN OPEN QUESTION ON BOTH SIDES, WITH THE FRG PREPARED TO BE FLEXIBLE.

3. AS NOTED ABOVE, DISAGREEMENT STILL EXISTS ON VARIOUS
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BONN 08885 01 OF 02 202002 Z

ISSUES WHICH COULD LEND COSMETIC OR SUBSTANTIVE SUPPORT TO THE GDR CONTENTION THAT ESTABLISHMENT OF PERMANENT MISSIONS EQUALS DIPLOMATIC RECOGNITION AND SEVERAL QUESTIONS REMAIN OPEN. AMONG THESE ISSUES ARE:

A. DIPLOMATIC LIST: THE FRG PLANS TO CLASSIFY GDR MISSION STAFF UNDER THE HEADING "ANDERE VERTRETUNGEN" IN ITS DIPLOMATIC LIST. BRAEUTIGAM NOTED THAT THIS FOR-

MULATION WAS USED FOR LISTING MEMBERS OF THE FINNISH
TRADE MISSION PRIOR TO ESTABLISHMENT OF FORMAL FINNISH-
FRG TIES. PROTOCOL RANK AND CAR NUMBERS ARE RELATED
ISSUES ON WHICH NO AGREEMENT HAS BEEN REACHED.

B. WHO WILL DEAL WITH PERMANENT MISSIONS? THE FRG
DOES NOT WISH TO AUTHORIZE ITS FONOFF TO DEAL WITH THE
GDR PERMANENT MISSION, AND HAS SUGGESTED THAT FRG CHAN-
CELLERY AND GDR COUNCIL OF MINISTERS BE DESIGNATED AS THE

CONFIDENTIAL

NNNNMAFVVZCZ

ADP000
CONFIDENTIAL

PAGE 01 BONN 08885 02 OF 02 202013 Z

67
ACTION EUR-25

INFO OCT-01 IO-13 ADP-00 CIAE-00 DODE-00 PM-07 H-02 INR-10

L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

NEA-10 NIC-01 CPR-02 RSR-01 /117 W
----- 008920

R 201950 Z JUN 73
FM AMEMBASSY BONN
TO SECSTATE WASHDC 5846
INFO AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION BERLIN
USMISSION NATO BRUSSELS
USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 02 OF 02 BOMN 08885

COPETENT AUTHORITIES. THE GDR WISHES TO EMPOWER THE
RESPECTIVE FOREIGN OFFICES.

C. DEFINITION OF FUNCTIONS: THE FRG WANTS A SPECIFIC
WRITTEN FORMULATION ON BERLIN INDICATING THAT " THE FRG
PERMANENT MISSION WILL REPRESENT THE INTERESTS OF THE FRG
AND THE WESTERN SECTORS OF BERLIN;" BRAEUTIGAM SAID THE
GDR HAS TROUBLE ACCEPTING THIS AND MAY PREFER SIMPLY AN
ORAL STATEMENT AS IN THE PREVIOUS CASE OF THE INNER- GER-
MAN TRAFFIC TREATY.

D. NATIONALITY: FRG PREFERS FORMULATION " PERSONS

FROM (BLANK);" THE GDR WILL PROBABLY PRESS FOR " PERSONS OF (BLANK) NATIONALITY."

E. PRIVILEGES AND IMMUNITIES: BRAEUTIGAM SAID THE FRG HAS NO PROBLEM WITH GRANTING GDR MISSION STAFF THE SAME PRIVILEGES AND IMMUNITIES ENJOYED BY OTHER DIPLOMATIC MISSIONS IN BONN; THE QUESTION IS SIMPLY FINDING THE APPROPRIATE LEGAL BASIS FOR GRANTING THEM. HE RECALLED THAT WHILE THE GDR WILL DO SO ON THE BASIS OF THE VIENNA CONVENTION, THE FRG IS ENACTING A SPECIAL LAW APPLYING THOSE PORTIONS OF THE VIENNA CONVENTION SPECIFIC-
CONFIDENTIAL
CONFIDENTIAL

PAGE 02 BONN 08885 02 OF 02 202013 Z

ALLY COVERING PRIVILEGES AND IMMUNITIES. THE FRG REGARDS GDR PROCEDURES IN THIS MATTER AS THEIR OWN INTERNAL AFFAIR, HOWEVER, AND WILL NOT OPPOSE GDR USE OF THE VIENNA FORMULA TO COVER MEMBERS OF ITS MISSIONS AS LONG AS THE GDR DOES NOT OBJECT TO THE SPECIAL FRG LAW. BRAEUTIGAM SAID A COMPROMISE SOLUTION FOR THIS PROBLEM WOULD PROBABLY BE FOUND ALONG THE FOLLOWING LINES. THERE WOULD BE A STATEMENT IN THE PROTOCOL TO THE EFFECT THAT EACH SIDE WOULD PROVIDE REPRESENTATIVES OF THE OTHER PARTY WITH PRIVILEGES AND IMMUNITIES " ANALOGOUS" TO THOSE IN THE VIENNA CONVENTION, AS DESCRIBED IN AN ANNEX ATTACHED TO THE PROTOCOL. THE ANNEX WOULD DESCRIBE THE PRIVILEGES AND IMMUNITIES BUT WOULD NOT COVER THE LEGAL BASIS TO BE USED BY EACH STATE TO GUARANTEE THIS STATUS. IT WOULD BE UNDERSTOOD THAT THE BASIS IN THE GDR WOULD BE THE VIENNA CONVENTION, AND THAT THE FRG WOULD USE ITS OWN LEGISLATION.

F. TIMING: THIS HAS NOT YET BEEN DISCUSSED. SEIDEL SAID THE GDR PROBABLY WOULD NOT BE READY TO OPEN ITS MISSION FOR BUSINESS BEFORE SEPTEMBER, BUT THE POSSIBILITY EXISTS THAT CHIEFS OF MISSION COULD BE ACCREDITED SOMEWHAT EARLIER IF THE TWO SIDES CAN AGREE ON A PROTOCOL. BRAEUTIGAM COMMENTED THAT THE FRG WOULD PROBABLY BE READY FOR THE ACCREDITATION EARLIER THAN THE GDR, AND THAT FROM THE FONOFF POINT OF VIEW THE NOTES COULD BE EXCHANGED IN JULY. HE SAID REMAINING PRACTICAL TALKS COULD END EARLY IN JULY.

4. IN THIS LATTER CONNECTION, THE UK REP (CROMARTIE) AGAIN MENTIONED THAT THE UK NOW WISHES TO SEND ITS AMBASSADOR TO EAST BERLIN AT THE END OF AUGUST, WITH THE GDR AMBASSADOR EXPECTED IN LONDON APPRECIABLY SOONER (SEE BONN 8114). THE FRENCH REP (BELLESCIZE) SAID HIS GOVERNMENT WAS PREPARED TO WAIT UNTIL THE FALL TO SEND ITS AMBASSADOR TO EAST BERLIN. BRAEUTIGAM SAID THE FRG WOULD HAVE NO OBJECTIONS IF SIZEABLE TIME GAPS EXISTED IN THE ARRIVALS OF THE GDR AND ALLIED AMBASSADORS IN RESPECTIVE CAPITALS, BUT FOR ITS OWN PART THE FRG WOULD PREFER TO KEEP THAT TIME PERIOD SHORT FOR DOMESTIC POLITICAL

REASONS.

CONFIDENTIAL
CONFIDENTIAL

PAGE 03 BONN 08885 02 OF 02 202013 Z

5. MISSION BUILDING. BRAEUTIGAM REPORTED THAT THE FRG
NOW HAS CHOSEN A SUITABLE BUILDING FOR ITS MISSION
IN EAST BERLIN. THE BUILDING, WHICH WILL BE RENTED, WILL
BE PARTIALLY READY FOR OCCUPANCY BY LATE SUMMER, BUT NOT
FULLY PREPARED BEFORE NEXT YEAR. THE FRG WILL NOT BEGIN
FULL MISSION OPERATIONS UNTIL THE BUILDING IS COMPLETELY
READY.
HILLENBRAND

CONFIDENTIAL

NNNNMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 20 JUN 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: boyleja
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973BONN08885
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: n/a
Film Number: n/a
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730627/aaaajlon.tel
Line Count: 243
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: boyleja
Review Comment: n/a
Review Content Flags:
Review Date: 09 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09-Aug-2001 by shawdg>; APPROVED <13-Sep-2001 by boyleja>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> srp 980220
Subject: FRG- GDR TALKS ON ESTABLISHMENT OF PERMANENT MISSIONS
TAGS: PFOR, PGOV, GE, GW, WB
To: EUR
SECSTATE WASHDC INFO LONDON
MOSCOW
MULTIPLE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005